

DNR Response to Public Comments on Section 5 of the Draft Michigan State Forest Management Plan

January 10, 2008

General Response

The Department of Natural Resources received 219 public comments on Section 5 of the Michigan State Forest Management Plan (SFMP), which has been revised to more clearly describe how or why particular management area categories were developed and to explain future processes. Readers should review the original documents to more fully understand those processes. Documents referred to are linked to the web version of this document.

The intent of this section of the SFMP is to provide additional information and management direction that supplements the information and direction in Section 4 and the rest of the plan. The categories and areas listed in Section 5 have particular or special conservation values that have been identified through a variety of mechanisms. These mechanisms range from highly formal processes such as legislative or executive branch action (statute, administrative rules, orders) to less formal administrative actions (MOUs, agreements, Compartment Review decisions).

Some comments expressed concern that areas discussed in Section 5 are 'set asides' or are not actively managed. These areas will be actively managed using tools, techniques and activities that are consistent with the described conservation values.

Several comments expressed that the SFMP placed too much emphasis on special areas. Both the SFI and FSC forest certification standards emphasize that management, conservation and protection of native ecosystems and biodiversity is an integral part of sustainable forest management. The plan sections on High Conservation Value Areas and Ecological Reference Areas originate from the Forest Stewardship Council – Forest Certification Standard (Principles 9 and 6.4 respectively) to which the DNR must comply in order to maintain certification of the State Forest under the standard. The plan section on Special Conservation Areas identifies many other areas for which the DNR has previously recognized resource values and uses that require specific management for the maintenance or enhancement of the specific conservation value or use. The plan emphasis on these areas is not new, but rather establishes a structured means of considering these areas in the decision-making process for management of these distinct areas of the State Forest.

It is important to understand that management, conservation and protection of native ecosystems and biodiversity occurs across land ownerships. State owned lands are just one provider of biological and ecological services in the landscape. The State

Forest System is a subset of state owned lands and contributes to these values, but is not the entire repository nor is it suitable as such.

Areas with specific conservation values have been sorted into three primary categories: Special Conservation Areas (SCAs), High Conservation Value Areas (HCVAs), and Ecological Reference Areas (ERAs). Each category has a conservation value trait and a 'level of recognition' trait. Together the two traits determine whether an area is identified as a SCA, HCVA or ERA. It is expected that areas will be moved between, added and removed from these categories based on conservation values and level of recognition. Although not currently anticipated, the categories themselves may change in the future.

It is anticipated that, over time, the range of conservation values will change given new scientific information and changes in social values and emphasis. The current Operations Inventory Compartment Review process and the Biodiversity Conservation Planning Process (BCPP) are the routine operational processes that will be used to manage these areas. This does not supersede or invalidate direction given to the Department through other higher level processes (i.e. new statutes, ballot proposals, Attorney General's or court rulings, NRC policies, and administrative rules).

Summary responses for Special Conservation Areas

Although the SCA descriptor was developed for the State Forest System, some of the categories are found on other DNR-managed lands recognized for their contribution to conservation, management and protection of special values. Adding, removing or changing SCAs is done primarily through the Operations Inventory/Compartment Review process.

Some comments reflected a misconception that the Natural Areas (NAs) program is a new construct of the SFMP, which it is not. The category depicts areas that are part of a statewide system of Natural Areas (NA), which were developed in response to and in compliance with Part 351, Wilderness and Natural Areas, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (a re-codification of PA 241 of 1972). There are multiple types of NAs identified in the Natural Areas Strategic Plan. The SCA NA section is limited to NAs that have been proposed or nominated for legal dedication, administratively recognized (joint DNR-The Nature Conservancy Natural Area Registry), National Natural Landmarks (NNL, an existing Federal program) or administratively recognized by NRC resolution.

The Department's Natural Area's program is administered by the Wildlife Division in conjunction with other organizations and groups. Natural Areas have been identified on a variety of ownerships, not just State Forest land. Natural Areas are a component of State Forests but the details of the program itself are beyond the scope of this State Forest Plan.

Several comments expressed disapproval of POG designation and again reflected a misconception that this program is a new construct of the SFMP. The POG concept originates from an adopted addendum to the 1983 Statewide Resources Plan, by the Natural Resource Commission in 1994. Since then, through the Operations Inventory/Compartment Review process, the Department has identified approximately 310,000 acres as potential old growth (POG). These stands were identified for a broad range of reasons and were coded in the State Forest inventory database as stand condition 8. The intent of this category is to recognize this previous effort and transition POG-coded stands into the biodiversity stewardship framework with a specific conservation objective, or where invalidated to remove the POG identifier. The State Forest Operations Inventory system is built on a 10-year cycle. Operationally, review of the entire state forest system using the POG descriptor was completed in 2004. Based on the cycle and when it was begun, review of all POG areas throughout the entire state forest system will take until 2014. In response to comment, management direction was added to prohibit vegetative treatments in identified POG stands until the OI review is completed.

In response to comments, information was added to clarify that Trout Streams and Trout Lakes are established by Director's action and are those streams and lakes designated as trout resources by Fisheries Orders 200 and 210. Fisheries Order 213.04, Criteria for Selection of Trout Streams with Gear Restriction Regulations, provides biological and physical criteria for identifying cold water resources. The criteria review process incorporates social considerations as well.

Comment expressed concern about regulatory requirements in spring, wetland, and riparian areas. The Department of Environmental Quality is charged with administration and oversight of water resources in Michigan. The SFMP has been revised to more clearly explain DEQ's role. Comments were received that advocated both for and against management activities in riparian areas. Plan guidelines were modified to reference the new (Draft) Sustainable Soil and Water Quality Practices on Forest Land manual (Michigan Department of Natural Resources and Michigan Department of Environmental Quality 2007) for work in these areas. Another comment encouraged the incorporation of springs and wetlands into the Biodiversity Conservation Planning Process (BCPP). While this need is recognized in the BCPP, the initial emphasis of the BCPP is on terrestrial communities as aquatic communities have not yet been integrated into the MNFI Natural Community Classification System.

Comments were received both for and against the concept of Large Landscape Level Forests. Although the concept has relevance and is important to State Forest management, at this time it has not been well reviewed or discussed either within the Department or with stakeholders. Consequently, no specific direction can be provided in this version of the State Forest Plan. This discussion will occur through the Biodiversity Conservation Planning Process, in the form of matrix-level communities. This subsection has been deleted from the SFMP.

Comments were both for and against the efficacy of habitat corridors. In response to comment, information related to the economic importance of wildlife has been removed from this subsection. It is more appropriately referenced in Section 3, Current Forest Conditions, Uses, and Trends, under 3.5 socioeconomic Content—Human Uses and Trends.

Several comments pertained to the use of native and non-native plants in the State Forest. Guideline #2 has been revised in response to comment to emphasize the use of native plants in restoration activities. Also, the use of native plants is recommended in the (Draft) Sustainable Soil and Water Quality Practices on Forest Land (Michigan Department of Natural Resources and Michigan Department of Environmental Quality 2007).

Comment encouraged no net loss of productive forestland to accommodate visual considerations near roads. No changes were made to the section of the SFMP.

Comment advocated expanding concentrated recreation areas in the State Forest. Due to fiscal constraints that currently preclude maintenance and operation of existing recreation areas, the management direction for this section was not changed from its emphasis on maintenance and improvement of existing areas. A notation has been added to the SFMP indicating that Concentrated Recreation and Mineral Lease Areas have been identified as an SCA category for purposes of tracking within the current database. It is expected to be a transitional category until a more suitable designator is developed.

Comment advocated the reservation of all Great Lakes islands as “set-asides” (in lieu of natural areas, etc.), so that there would be no net loss of productive forestland. This suggestion was not adopted since many of these “set-aside” areas stem from existing programs that will not be obviated by the SFMP.

Comment also suggested a guide to address invasive species, which the DNR believes is already adequately addressed in plan section 4.1.7.2.

Comments were supportive of the concept of buffer zones and coordination of management with adjacent ownerships.

Summary responses for High Conservation Value Areas)

Several comments addressed a need to identify the process through which new HCVAs are identified and designated. High Conservation Value Areas (HCVAs) are areas on state forest land that have been identified through a recognized DNR process for specific conservation values, objectives and ecological attributes or significant social values. Recognized DNR processes include legislation, administrative rules, and Director's and Natural Resource Commission Orders.

These processes are ongoing and additional HCVAs may be identified using any of these mechanisms.

As addressed in the plan, the Department's Biodiversity Conservation Planning Process (BCPP) will provide a means for some new HCVAs to be designated on State Forest land. The goal of the BCPP is to conserve, restore, and protect biological diversity by establishing a network of functional representative Michigan ecosystems using a framework of the 76 Michigan Natural Features Inventory (MNFI) natural communities as the basis for the network. Areas identified on state owned land in this network will be called Biodiversity Stewardship Areas (BSAs, see Section 5.2.2), which are one type of High Conservation Value Area (HCVA). These BSAs can be located on any Department-administered land, including the State Forest, State Parks and Recreation Areas, and Wildlife Areas. As identified in comments and addressed in the SFMP at the beginning of Section 5, the Department will need to coordinate the biodiversity planning process with other agencies, organizations and landowners to identify opportunities on other ownerships.

A Statewide Biodiversity Team (SBT) is conducting an analysis of the 76 natural community types in the State, as indicated in the BCPP. The analysis will include a qualitative and functional assessment of known MNFI element occurrences (EOs) and on state forest land, areas identified in the FMFM Operations Inventory as "potential old growth", as well as models to help ecoteams identify likely locations of additional natural community types. It will also include conservation objectives and selection criteria for BSAs, and models for assessing social and economic costs resulting from the creation of a BSA network. The focus of this effort is identifying areas on state owned land but will also need to assess how state land contributes to biodiversity and how they fit into the larger landscape. Once the draft analysis is reviewed internally, the Department will seek public review of the analysis using the Public Advisory Team previously assembled to help draft the BCPP. As stated in comments received on the draft SFMP, this identification process is intended to involve stakeholders in the decision-making process.

Some comments expressed support that the DNR has clarified the relationship of Potential Old Growth and Biodiversity Stewardship Areas (BSAs) in the SFMP. Other comments disparaged the concept of BSAs. The concept of BSAs is not a construct of the SFMP, but has its origin in the 2005 Biodiversity Conservation Planning Process (BCPP), which was developed using a collaborative process with many representative stakeholder groups. There are currently no existing BSAs on state forest land. The BCPP will identify and evaluate areas as potential BSAs.

Some comments focused on the provision of Part 351, Wilderness and Natural Areas, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, which identifies a maximum of 10% of state land under the control of the department that could be legislatively dedicated. There were contrary comments both advocating and objecting to a designation of 10% of DNR lands as Natural

Areas (NAs). To clarify this issue, it is important to understand that this percentage is not a goal for the Department to fulfill but a maximum that may not be exceeded. Part 351 also provides a nomination and dedication process which is administered by the Wildlife Division. Areas that are dedicated through this process will be added as HCVAs. Information on existing legally-dedicated natural areas on state forest land has been added to the plan. As encouraged in comments, the DNR is proceeding with dedicating additional NAs, which will be added to this section accordingly.

Comment was received regarding the plan prohibition of timber harvests in the vegetated buffer of Natural Rivers. Management activities on legally-designated Natural Rivers are governed by Part 305, Natural Rivers, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, the specific Natural River management plan, and administrative rules (i.e. AuSable Natural River Zoning, etc.). Natural River zoning ordinances typically prohibit cutting of trees larger than 6 inches diameter at breast height in the vegetated buffer zone (typically 25 feet from the ordinary high water mark). The SFMP provides that timber harvesting may be permitted in other parts of the Natural River zone if it is in compliance with all applicable laws and riparian management guidance.

As identified in comment, the SFMP was revised to emphasize that critical habitat is managed in cooperation with the U.S. Fish and Wildlife Service and in accordance with approved species recovery plans. The Designated Species Recovery Areas section was re-titled as Designated Critical Habitat.

Comment suggested that the DNR dedicate some areas of the State Forest for intensive forest management. This concept will be expressed through the formation of Management Areas in Regional State Forest Plans, whereby the primary management objectives for some area of the State Forest may be for timber production.

Summary responses for Ecological Reference Areas

Comment was received regarding the ambiguity over the process by which new areas of State Forest will be considered for designation as ERAs. The baseline set of ERAs along with future additions, removals or modifications will be reviewed using the Biodiversity Conservation Planning Process. A description of this process has been added to the SFMP. ERAs serve as native reference systems concerning natural ecological conditions and processes. ERAs may occur upon any ownership – be they public or private lands. Public lands include Federal or state forests, parks or game areas/refuges.